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March 21, 2025

VIA ECF

Hon. Analisa Torres
United States District Judge
Southern District of New York
500 Pearl St.
New York, NY 10007-1312

BRENDAN M. PALFREYMAN
MEMBER
DIRECT: (315) 214.2161
BPALFREYMAN@HARRISBEACHMURTHA.COM

Re: *Choice Logistics, Inc. v. Premier Value Express, Inc. d/b/a Premier Express*,
Civil Action No. 1:25-cv-02187-AT

Dear Judge Torres:

We represent Plaintiff Choice Logistics, Inc. (“Choice Logistics”) in the above-referenced matter. In accordance with Your Honor’s Individual Rule I.C, Choice Logistics respectfully requests that the conference set for March 24, 2025 be adjourned for a period of ten days, subject to the Court’s schedule.

The original date of the conference is March 24, 2025. The reason for the request is that representatives of Choice Logistics and Premier Value Express, Inc. (“Premier Express”) are engaged in negotiations that may resolve at least the Order to Show Cause (ECF No. 5) and potentially the litigation as a whole. Specifically, the party’s representatives spoke on the phone about potential resolution and, shortly thereafter, Choice Logistics sent a draft settlement agreement to Premier Express on March 19, 2025. As of the filing of this letter, no substantive response to this draft agreement has been received.

No prior requests for adjournment have been made. Regarding consent, I have previously attempted to communicate with Dale Massicotte, President of Premier Express, in relation to this case generally and have received very little response. In fact, Mr. Massicotte stated in an email to a representative of Choice Logistics that he “will NOT communicate or work with” me. Regardless, I emailed Mr. Massicotte today at approximately 3:37 p.m. asking for his consent to the adjournment. I received a “read receipt” at 3:42 p.m. indicating that Mr. Massicotte read the email. As of the filing of this letter, I have not received a response.

Additionally, in response to the Court’s Order dated March 20, 2025, attached to this letter please find proof of service of the pleadings, order to cause papers, and the Court’s Order dated March 17, 2025 (ECF No. 12). Also attached hereto are emails I sent to Mr. Massicotte of Premier Express attaching the aforementioned documents plus the Court’s Order dated March 18, 2025 (ECF No. 14). My apologies for the slight tardiness of these filings as I was hoping we might hear back from Premier Express with regard to the draft settlement agreement and negate the need for a conference altogether.

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HARRIS BEACH MURTHA
ATTORNEYS AT LAW

Should the Court have any questions or concerns, please do not hesitate to contact me.

Respectfully submitted,


/s/ Brendan M. Palfreyman
Brendan M. Palfreyman

cc: Counsel of record (via ECF)
Dale Massicotte (via email: d.massicotte@premierexpress.net)

GRANTED. The videoconference hearing scheduled for March 24 is ADJOURNED to **March 31, 2025, at 10:00 a.m.** The parties and members of the public are advised to use the same videoconference link and dial-in information the Court previously circulated. *See* ECF No. 14. Plaintiff is directed to send a copy of this order to Defendant forthwith.

SO ORDERED.

Dated: March 21, 2025
New York, New York



ANALISA TORRES
United States District Judge